

OLC 79-3173/3



18 DEC 1979

MEMORANDUM FOR: Director of Central Intelligence

FROM: Frederick P. Hitz
Legislative Counsel

SUBJECT: Fiscal Year 1981 Intelligence
Authorization Bill

1. Action requested: Your signature on the attached letter transmitting the draft Fiscal Year 1981 Intelligence Authorization Bill to the Director of the Office of Management and Budget.

2. Background: This will be the third specific annual authorization of appropriations for intelligence, and the process is becoming institutionalized. My Legislation Division has drafted the Bill, in consultation with concerned Agency components and the Intelligence Community Staff. The Intelligence Community was given the opportunity to propose material for inclusion in the combined CIA and Intelligence Community Legislative Program for the second session of the 96th Congress. The Authorization Bill must now be submitted to the Office of Management and Budget.

3. The Bill is essentially the same as the Fiscal Year 1980 Act (reference document), and does not require accompaniment by a detailed sectional analysis. We have attempted to clarify the meaning of Section 101(c) by substituting the word "prohibited" for the phrase "not otherwise authorized." The Section 503 provision authorizing the Central Intelligence Agency to accept gifts and bequests should not be controversial, although I would not be surprised if our committees add a reporting requirement.

4. Your transmittal letters to the Speaker of the House and the President of the Senate make reference to congressional action on unspecified separate pieces of pending legislation designed to safeguard intelligence capabilities. With our death gratuity legislation having developed a momentum of its own, it would seem advisable, at least for now, to continue

MORI/CDF Pages 1-3 & 5

to pursue that legislation separately as well. Inclusion of the proposal in the Authorization Bill, moreover, could subject it to recoordination within the Administration.

Our Administration-approved and previously transmitted legislative proposal to clarify the Agency's firearms authority has not been included in the draft Authorization Bill for the same reason; there is nothing to be gained from giving new players at the Justice Department the opportunity to raise questions that could jeopardize the proposal's cleared status. I plan instead to have letters to the Chairmen and ranking Minority Members of the SSCI and HPSCI prepared for your signature next month. These letters will review the status of specific legislative items in the area of safeguarding intelligence capabilities (e.g., Protection of Identities and FOIA), and suggest use of the Authorization Bill for matters such as the firearms proposal.

4. Staff Position: Appropriate Agency components and elements of the Intelligence Community Staff have been consulted in connection with the draft Bill.

5. Recommendation: That you sign the attached letter to OMB Director McIntyre transmitting the Fiscal Year 1981 Intelligence Authorization Bill.

Signed - Frederick P. Hitz

Frederick P. Hitz

Attachment

Reference

Page Denied

Next 1 Page(s) In Document Denied